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Sirius XM found liable in New York lawsuit over subscription cancellations

By Jonathan Stempel

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An Apple iPhone is shown in a XM Skydeck at the Sirius Satellite Radio booth during the 2010 International Consumer Electronics Show (CES) in Las Vegas, Nevada January 8, 2010. REUTERS/Steve Marcus/File Photo Purchase Licensing Rights

NEW YORK, Nov 22 (Reuters) - A New York state judge found Sirius XM Holdings (SIRI.O) liable in New York Attorney General Letitia James' lawsuit accusing the satellite radio and streaming company of making it too hard for customers to cancel subscriptions.

While rejecting claims alleging fraud and deceptive practices, Justice Lyle Frank of the state Supreme Court in Manhattan said Sirius' policies violated the federal Restore Online Shoppers' Confidence Act.

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Frank said Sirius made canceling subscriptions "clearly not as easy" as signing up, by requiring subscribers to speak at length with live agents trained to dissuade cancellations, and listen to as many as five offers of other services before being allowed to cancel.

The judge said Sirius must change its cancellation practices to comply with the law, and pay unspecified damages.

Sirius said on Friday it would appeal the Nov. 21 decision.

It also said it would abide by a U.S. Federal Trade Commission rule requiring businesses to make canceling subscriptions as easy as signing up. The "click-to-cancel" rule takes effect on Jan. 14, 2025.

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James sued Sirius last December, saying the New York-based company's own data showed subscribers spent an average 11-1/2 minutes to cancel by phone and 30 minutes to cancel online.

She said Sirius can cancel subscriptions with a click of a button, or let customers do it themselves.

"My office sued SiriusXM to protect consumers, and as a result of our actions, they will have to simplify their cancellation process to stop taking advantage of New Yorkers," James said in a statement on Friday.

Reporting by Jonathan Stempel in New York; editing by Jonathan Oatis

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